



**MINUTES OF SPECIAL JOINT MEETING OF THE
CITY COUNCIL/REDEVELOPMENT AGENCY
OF THE CITY OF HAYWARD**
City Council Chambers
777 B Street, Hayward, CA 94541
Tuesday, May 17, 2005, 8:00 p.m.

MEETING

The Special Joint City Council/Redevelopment Agency Meeting was called to order by Mayor/Chair Cooper at 8:00 p.m., followed by the Pledge of Allegiance led Council/RA Member Dowling.

ROLL CALL

Present: COUNCIL/RA MEMBERS Quirk, Jimenez, Halliday, Ward, Dowling, Henson
MAYOR/CHAIR Cooper
Absent: COUNCIL/RA MEMBERS None

PRESENTATION: Appreciation to City of Hayward by Police Employees Who Served in Iraq
This special presentation was postponed.

PUBLIC COMMENTS

Barbara Heringer-Swarr spoke on the films that have recently been shown at Chabot College and commented on the economy. She also spoke on redevelopment funding.

CONSENT

Each Consent Item was voted on separately.

1. Approval of Minutes of the City Council Meeting of May 10, 2005

It was moved by Council Member Henson, seconded by Council Member Ward, and carried, with Council Member Quirk abstaining, to approve the minutes of the City Council Meeting of May 10, 2005.

2. New Sidewalk Construction on Ruus Road: Approval of Plans and Specifications and Call for Bids

Staff report submitted by Deputy Director of Public Works Bauman,
dated May 17, 2005, was filed.

In response to Council Member Dowling's question, staff would provide a list of the improvements to be constructed by this project.

It was moved by Council Member Ward, seconded by Council Member Henson, and carried unanimously, to adopt the following:

Resolution 05-056, "Resolution Approving Plans and Specifications for
the New Sidewalk Construction 2002-03 Ruus Road Project, Project
No. 5178"

3. Soto Road Bicycle Lane Improvements – Greenway to Harder Road: Approval of Addendum and Award of Contract

Staff report submitted by Deputy Director of Public Works Bauman, dated May 17, 2005, was filed.

It was moved by Council Member Ward, seconded by Council Member Henson, and unanimously carried, to adopt the following:

Resolution 05-057, “Resolution Approving Addendum No. 1 and Awarding Contract to Fanfa Inc., for the Soto Road Bicycle Lane Improvements Project, Project No. 5171”

4. New Sidewalk Construction 2003/04 – Portions of Soto Road, Orchard Avenue, Fifth Street, and “E” Street: Award of Contract

Staff report submitted by Deputy Director of Public Works Bauman, dated May 17, 2005, was filed.

It was moved by Council Member Ward, seconded by Council Member Jimenez, and unanimously carried, to adopt the following:

Resolution, 05-058, “Resolution Awarding Contract to Fanfa, Inc., for the New Sidewalk Construction 2003-04 Portions of Soto Road, Orchard Avenue, Fifth Street, and “E” Street Project, Project Nos. 5170 and 5189”

HEARING

5. Cinema Place Project
 - A. Consideration of an Amended and Restated Disposition and Development Agreement with Cinema Place Hayward, LLC

Staff report submitted by Redevelopment Director Bartlett, dated May 17, 2005, was filed.

Redevelopment Director Bartlett made the staff report. As a result of the cost increases for building materials such as steel and cement, the proposed project will be revised to house a 12-screen cinema in a one-story building. She noted the changes to the ground lease, that included a new rent payment schedule, the lowering of the threshold tenant income level, and that the developer would be paying for half the garage maintenance costs. She explained the amendment conditions for the reduced project, the demolition of the current building, site development and other timelines for the project. The benefits are long term as the project will generate sales tax, property taxes, rents and revenues as well as create attraction to increase sales for downtown merchants. She responded to Agency questions related to long term benefits and the projected net gain.



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There was discussion on the costs of the development, the obligations of the Redevelopment Agency and the potential revenue sources from this project.

Mayor/Chair Cooper asked that staff present the second part of this report.

B. Authorization for a Professional Services Agreement with KPFF Consulting Engineers for Parking Structure

Staff report submitted by Deputy Director of Public Works Bauman, dated May 17, 2005, was filed.

Public Works Director Butler reported that the parking structure will be built by KPFF Consulting Engineers, an experienced consulting firm that worked on other downtown parking structures.

Mayor/Chair Cooper opened the public hearing at 8:32 p.m. for both Items 5A and 5B.

Barbara Heringer-Swarr asked questions related to the development agreement, in particular prohibiting another cinema in the City. She suggested a youth center in the city's vacant buildings, perhaps at the airport. She spoke against the use of public funds to benefit private development on public land.

Mayor/Chair Cooper closed the public hearing at 8:34 p.m.

There was a brief discussion and it was noted that the design of the project was revamped and a preliminary discussion occurred at an earlier work session, but a design will be presented for consideration on June 7th.

It was moved by Council/RA Member Jimenez, seconded by Council/RA Member Dowling, and unanimously carried to adopt the following:

Resolution 05-059," A Resolution of the City Council of the City of Hayward Approving and Authorizing the Execution of an Amended and Restated Disposition and Development Agreement between the Redevelopment Agency of the City of Hayward and Cinema Place Hayward, LLC"

RA Resolution 05- 07, "A Resolution of the Redevelopment Agency of the City of Hayward Approving and Authorizing the Execution of an Amended and Restated Disposition and Development Agreement between the Redevelopment Agency of the City of Hayward and Cinema Place Hayward, LLC"

RA Resolution 05-08,” Resolution Authorizing the Executive Director to Execute an Agreement for Professional Services between the Redevelopment Agency and KPFF Consulting Engineers for the Cinema Place Parking Structure Project, Project No. 5095”

RA Resolution 05-09, “Resolution Amending Resolution No. RA 04-07, as Amended, the Redevelopment Budget Resolution for Fiscal Year 2004-05 Relating to an Appropriation of Funds from the Redevelopment Tax Allocation Bond Fund to Cinema Place Parking Structure Project, Project No. 5095”

COUNCIL REPORTS

Council Member Dowling reported on his participation in the League of California Cities Legislative Action Days last week. He noted the priorities as local elected officials lobbied in Sacramento to establish a true partnership with the State related to housing and increase flexibility in funding, use of redevelopment as a key tool for providing affordable housing and utilization of smart growth standards. He briefly commented on the priority of the League in transportation and the restoration of Prop 42 funds that will provide \$500 million for cities and counties street projects that include the Rt. 238 connector and the 92/880 projects. Lastly, he spoke on the League’s efforts to address pension reform and thought it was heading in the right direction.

ADJOURNMENT

Mayor Cooper adjourned the meeting at 8:41 p.m.

APPROVED:

Roberta Cooper, Mayor, City of Hayward
Chair, Redevelopment Agency

ATTEST:

Angelina Reyes, City Clerk, City of Hayward
Secretary, Redevelopment Agency